

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION

ROBERTO BAEZ,

Plaintiff,

v.

CIVIL ACTION NO.: CV511-061

DEBORAH MOORE; PEGGY COOPER;  
Nurse MONROE; Nurse WRIGHT;  
Dr. NURALLAH ESMAIL; BRIAN  
OWENS, Commissioner; and  
BARRY GOODRICH,

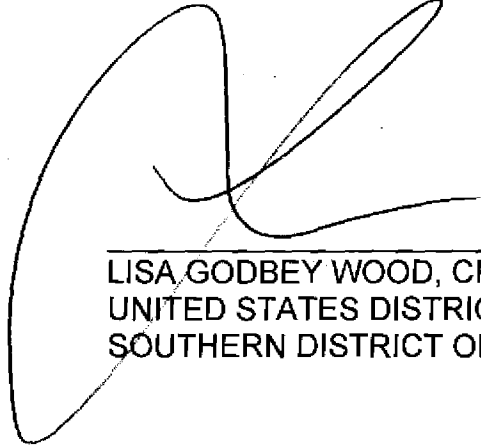
Defendants.

**ORDER**

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Objections, as supplemented, have been filed. In his Objections, Plaintiff once again details events which allegedly occurred while he was housed at Coffee Correctional Facility in Nicholls, Georgia, and makes allegations against individuals who are or were employed at Coffee Correctional Facility. As the Magistrate Judge noted, Plaintiff was transferred to another facility on March 10, 2011, and he filed his Complaint on June 10, 2011. Plaintiff has not shown how he was in imminent danger of serious physical injury based on any actions or inaction by the named Defendants at the time he filed his Complaint. Thus, Plaintiff has not met the exception to 28 U.S.C. § 1915(g) and cannot proceed with his cause of action until after he pays the full filing fee.

Plaintiff's Objections are **overruled**. The Magistrate Judge's Report and Recommendation is adopted as the opinion of the Court. Plaintiff's Complaint is **DISMISSED**, without prejudice. The Clerk of Court is directed to enter the appropriate judgment of dismissal.

SO ORDERED, this 29 day of December, 2011.

A large, stylized handwritten signature in black ink, consisting of a large loop and a long horizontal stroke.

LISA GODBEY WOOD, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA